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**FAX COVER SHEET**

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**To:** Examiner S. Devi  
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**From:** Darryl H. Steensma  
**Phone #:** (212) 415-8565

**Client:** 1758  
**Matter:** 4036US2

**Date:** January 29, 2001  
**Pages:** 4 (plus this cover sheet)

**Confirm:**

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**Comments:** According to your request, transmitted herewith is a courtesy copy of the Response filed October 16, 2000.

Sincerely,  
Darryl H. Steensma

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Received 10-19-00

Box AF

PATENT

Docket No. 1758-4036US2

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : MINETTI, C. et al.

Serial No : 09/120,044

Art Unit : 1645

Filed : July 21, 1998

Examiner : S. Devi

For: : MODIFIED IMMUNOGENIC PNEUMOLYSIN  
COMPOSITIONS AS VACCINES**AMENDMENT AND RESPONSE TO OFFICIAL ACTION**Box AF  
COMMISSION FOR PATENTS  
Washington, D.C. 20231

Sir:

O.K. to enter.

In response to the Official Action mailed July 28, 2000, applicants present the following amendment and remarks. Claims 1-34 are pending in the application. Claims 8-11, 16-21 and 27-30 were withdrawn from consideration. Claims 12-15 were allowed and claims 1-7, 22-26, and 31-34 were rejected. Claims 1-7, 22-26 and 31-34 are presented for review and reconsideration on the merits. Applicants include a Notice of Appeal concerning the July 28, 2000 final rejection.

**AMENDMENT**

Please amend the claims as follows:

- E1
1. (twice amended) A modified refoldable pneumolysin polypeptide having attenuated hemolytic activity comprising an amino acid sequence of type 14 pneumolysin wherein (at least one amino acid in the region comprising amino acid residues 1 to 257 of SEQ ID NO: 3[, and besides a substitution of threonine for isoleucine at amino acid 172,] is substituted, with the proviso that the substitution is not solely a substitution of isoleucine for threonine at
- N/M